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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hiroshi OKAMURA et al

Application No.: 10/521,176

I. A. Filing Date: July 3, 2003

Filed: January 14, 2005

For: SOLID SUPPORT HAVING ELECTROSTATIC LAYER...

Customer Service Window, Mail Stop Amendment

Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building, 401 Dulany Street
Alexandria, Virginia 22314



Art Unit: 1634

Examiner: K.N. Bhat

Washington, D.C.

Atty.'s Docket: OKAMURA=6

Confirmation No.: 1935

Date: March 15, 2007

Sir:

Transmitted herewith is a REPLY TO RESTRICTION REQUIREMENT in the above-identified application.

☐ Small Entity Status: Applicant(s) claim small entity status. See 37 C.F.R. §1.27.

☒ No additional fee is required.

☐ The fee has been calculated as shown below:

	(Col. 1)		(Col. 2)	(Col. 3)
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA EQUALS
TOTAL	*	MINUS	** 20	0
INDEP.	*	MINUS	*** 3	0
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				

ADDITIONAL FEE TOTAL

SMALL ENTITY	
RATE	ADDITIONAL FEE
x 25	\$
x 100	\$
+ 180	\$
ADDITIONAL FEE TOTAL	

OTHER THAN SMALL ENTITY	
RATE	ADDITIONAL FEE
x 50	\$
x 200	\$
+ 360	\$
TOTAL	

- * If the entry in Col. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" (total or independent) is the highest number found from the equivalent box in Col. 1 of a prior amendment of the number of claims originally filed.

☒ Conditional Petition for Extension of Time

If any extension of time for a response is required, applicant requests that this be considered a petition therefor.

☐ It is hereby petitioned for an extension of time in accordance with 37 CFR 1.136(a). The appropriate fee required by 37 CFR 1.17 is calculated as shown below:

Small Entity

Response Filed Within

- ☐ First - \$ 60.00
- ☐ Second - \$ 225.00
- ☐ Third - \$ 510.00
- ☐ Fourth - \$ 795.00

Month After Time Period Set

Other Than Small Entity

Response Filed Within

- ☐ First - \$ 120.00
- ☐ Second - \$ 450.00
- ☐ Third - \$ 1020.00
- ☐ Fourth - \$ 1590.00

Month After Time Period Set

☐ Less fees (\$) already paid for month(s) extension of time on .

☐ Please charge my Deposit Account No. 02-4035 in the amount of \$.

☐ Credit Card Payment Form, PTO-2038, is attached, authorizing payment in the amount of \$

☐ A check in the amount of \$ is attached (check no.).

☒ The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR §1.16 and all patent processing fees under 37 CFR §1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR §1.18.

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Attorneys for Applicant(s)

By:

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Confirmation No.: 2935
)	
Hiroshi OKAMURA et al)	Art Unit: 1634
)	
I.A. Filing Date: 07/03/2003)	Examiner: K. N. Bhat
371(c) Date: January 14, 2005)	
)	March 15, 2007
U.S. Appln. No.: 10/521,176)	
)	ATTY.'S DOCKET: OKAMURA=6
For: SOLID SUPPPORT HAVING)	
ELECTROSTATIC LAYER AND)	

REPLY TO RESTRICTION REQUIREMENT

Customer Service Window, Mail Stop Amendment
Honorable Commissioner for Patents
U.S. Patent and Trademark Office
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

The applicants are in receipt of the Office Action mailed February 15, 2007, entirely in the nature of a restriction requirement on the basis of lack of unity of invention under PCT Rules 13.1 and 13.2. Applicants reply below.

However, before proceeding further, applicants respectfully request the PTO to acknowledge receipt of applicants' papers filed under Section 119.

Restriction has been required among what the PTO deems to be three (3) patentably distinct inventions. As applicants must make an election even though the requirement is traversed,

applicants hereby respectfully and provisionally elect Group I, presently claims 1-9, with traverse and without prejudice.

The PTO takes the position that unity of invention is destroyed by Chrisey et al USP 5,688,642, i.e. that the citation establishes that the common subject matter among the groups lacks novelty. However, even if the statement regarding Chrisey appearing in the bottom paragraph on page 2 of the Office Action were correct, it does not address the fact that there are other common features presently called for in dependent claims of elected Group I which can be incorporated into Group II and/or Group III claims.

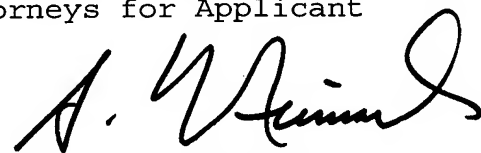
Accordingly, and particularly to provide a complete search and examination, consistent with the spirit of the second paragraph of MPEP 803, the requirement should be withdrawn and all sixteen (16) claims should be searched and examined on the merits. Such are respectfully requested.

Applicants respectfully await the results of a first examination on the merits.

Respectfully submitted,

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